

Documents on Diplomacy: The Source

The Red Cross Convention August 22, 1864

Convention signed at Geneva August 22, 1864; Ratifications exchanged at Geneva June 22, 1865; Declaration of accession signed by the President of the United States March 1, 1882; Senate advice and consent to accession March 16, 1882; Accession of the United States accepted by Switzerland June 9, 1882; Entered into force June 22, 1865; for the United States June 9, 1882; Proclaimed by the President of the United States July 26, 1882; Superseded by conventions of July 6, 1906, 1 July 27, 1929 and August 12, 1949 as between contracting parties to the later conventions in each instance. 22 Stat. 940; Treaty Series 377

CONVENTION FOR THE AMELIORATION OF THE CONDITION OF THE WOUNDED IN ARMIES IN THE FIELD

ARTICLE 1

Ambulances and military hospitals shall be acknowledged to be neuter, and, as such, shall be protected and respected by belligerents so long as any sick or wounded may be therein.

Such neutrality shall cease if the ambulances or hospitals should be held by a military force.

ARTICLE 2

Persons employed in hospitals and ambulances, comprising the staff for superintendence, medical service, administration, transport of wounded, as well as chaplains, shall participate in the benefit of neutrality, whilst so employed, and so long as there remain any wounded to bring in or to succor.

ARTICLE 3

The persons designated in the preceding article may, even after occupation by the enemy, continue to fulfil their duties in the hospital or ambulance which they serve, or may withdraw in order to rejoin the corps to which they belong.

Under such circumstances, when these persons shall cease from their functions, they shall be delivered by the occupying army to the outposts of the enemy.

ARTICLE 4

As the equipment of military hospitals remains subject to the laws of war, persons attached to such hospitals cannot, in withdrawing, carry away any articles but such as are their private property.

Under the same circumstances an ambulance shall, on the contrary, retain its equipment.

ARTICLE 5

Inhabitants of the country who may bring help to the wounded shall be respected, and shall remain free. The generals of the belligerent Powers shall make it their care to inform the inhabitants of the appeal addressed to their humanity, and of the neutrality which will be the consequence of it.

Any wounded man entertained and taken care of in a house shall be considered as a protection thereto. Any inhabitant who shall have entertained wounded men in his house shall be exempted from the quartering of troops, as well as from a part of the contributions of war which may be imposed.

ARTICLE 6

Wounded or sick soldiers shall be entertained and taken care of, to whatever nation they may belong.

Commanders-in-chief shall have the power to deliver immediately to the outposts of the enemy soldiers who have been wounded in an engagement, when circumstances permit this to be done, and with the consent of both parties.

Those who are recognized, after their wounds are healed, as incapable of serving, shall be sent back to their country.

The others may also be sent back, on condition of not again bearing arms during the continuance of the war.

Evacuations, together with the persons under whose directions they take place, shall be protected by an absolute neutrality.

ARTICLE 7

A distinctive and uniform flag shall be adopted for hospitals, ambulances and evacuations. It must, on every occasion, be

accompanied by the national flag. An arm-badge (brassard) shall also be allowed for individuals neutralized, but the delivery thereof shall be left to military authority.

The flag and the arm-badge shall bear a red cross on a white ground.

ARTICLE 8

The details of execution of the present convention shall be regulated by the commanders-in-chief of belligerent armies, according to the instructions of their respective governments, and in conformity with the general principles laid down in this convention.

ARTICLE 9

The high contracting Powers have agreed to communicate the present convention to those Governments which have not found it convenient to send plenipotentiaries to the International Conference at Geneva, with an invitation to accede thereto; the protocol is for that purpose left open.

ARTICLE 10

The present convention shall be ratified, and the ratifications shall be exchanged at Berne, in four months, or sooner, if possible.

In faith whereof the respective Plenipotentiaries have signed it and have affixed their seals thereto.

Done at Geneva, the twenty-second day of the month of August of the year one thousand eight hundred and Sixty-four.

[FOR THE SWISS CONFEDERATION:]

GENL. G. H. DUFOUR
G. MOYNIER
DR. LEHMANN

[FOR BADEN:]

DR. ROBERT VOLZ STEINER

[FOR BELGIUM:]

VISSCHERS

[FOR DENMARK:]

FENGER

[FOR SPAIN:]
J. HERIBERTO GARCIA DE QUEVEDO

[FOR FRANCE:]
CH. JAGERSCHMIDT
S. DE PREVAL
BOUDIER

[FOR HESSE:]
BRODRUCK

[FOR ITALY:]
CAPELLO
F. BAROFFIO

[FOR THE NETHERLANDS:]
WESTENBERG

[FOR PORTUGAL:]
M. JOSE ANTONIO MARQUES

[FOR PRUSSIA:]
DE KAMPTZ
LOEFFLER
RITTER

[FOR WURTTEMBERG:]
DR. HAUN

Source

The Avalon Project: Documents in Law, History, and Diplomacy, Yale Law School, Lillian Goldman Law Library. *Treaties and Other International Agreements of the United States of America 1776-1949*, compiled under the direction of Charles I. Bevans LL.B., Assistant Legal Advisor Department of State, *Volume 1 Multilateral 1776-1917*, Department of State Publication 8407, Washington, DC: Government Printing Office, 1968

http://avalon.law.yale.edu/19th_century/geneva04.asp